

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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RSA No.4613 of 2016 (O&M)

Date of decision: 07.02.2020

HARJINDER SINGH & ANR

... Appellants

Versus

SWARANJIT KAUR & ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Nakul Sharma, Advocate for the appellants.
Mr. RS Sekhon, Advocate for respondents No.1 to 3 and 5.

REKHA MITTAL, J. (Oral)

Challenge in the present appeal has been directed against concurrent findings recorded by the Courts whereby suit for permanent injunction restraining the respondents/defendants from interference qua possession of land measuring 18 kanal 14 marlas situated in village Talwandi Bhai, Tehsil and District Ferozepur, detailed in headnote of the plaint was dismissed by the Courts.

Counsel for respondents No.1 to 3 and 5/defendants would state that joint land of appellants and respondents has been partitioned by the revenue authorities and in pursuance of the partition, possession has been delivered to co-owners of their shares allotted during partition, as such, the present appeal has been rendered infructuous and may be disposed of accordingly.

Counsel for the appellants has expressed his inability to say something in the matter as he is not in a position to seek instructions from counsel representing the appellants before the trial Court who is stated to have since passed away.

Taking into consideration the statement made by counsel for

respondents No.1 to 3 and 5, the present appeal stands disposed of. As the appeal has been disposed of, application for condonation of delay is of academic relevance. In case statement made by counsel for respondents No.1 to 3 and 5 is found to be incorrect at a later stage, the appellants would be at liberty to file an appropriate application before this Court.

07.02.2020

ashok

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No

(REKHA MITTAL)
JUDGE